



Docket No.: 246602US2

*JPM*

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RE: Application Serial No.: 10/737,121  
Applicants: Hiroshi GOTOH, et al.  
Filing Date: December 17, 2003  
For: ELECTRONIC DEVICE, METHOD OF  
MANUFACTURE OF THE SAME, AND  
SPUTTERING TARGET  
Group Art Unit: 2815  
Examiner: NGUYEN, J.

SIR:

Attached hereto for filing are the following papers:

**RESTRICTION RESPONSE**

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

HIROSHI GOTOH, ET AL.

: EXAMINER: NGUYEN, J.

SERIAL NO: 10/737,121

:

FILED: DECEMBER 17, 2003

: GROUP ART UNIT: 2815

FOR: ELECTRONIC DEVICE, METHOD  
OF MANUFACTURE OF THE SAME,  
AND SPUTTERING TARGET

RESTRICTION RESPONSE

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Office Action dated November 1 2004, Applicants herein elect group I corresponding to claims 1-16 and 23-25, drawn to an electronic device, classified in class 257, subclass 765, **with traverse** for prosecution in the present application.

Applicant traverses the outstanding Restriction Requirement as the outstanding Restriction Requirement has not established that an undue burden would be required if the Restriction Requirement was not issued and if all the claims were examined together. More particularly, MPEP §803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

In the present application any search of the elected device claims would also include the classes and subclasses appropriate for searching the method claims, and so then would be no undue burden if all of the claims were examined together.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
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